

GEOFFREY A. HANSEN
Acting Federal Public Defender
VARELL L. FULLER
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Counsel for Defendant RUELAS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	Nos. CR 11- 00558 - LHK
)	CR 11- 00559 - LHK
Plaintiff,)	CR 11- 00560 - LHK
)	CR 11- 00706 - LHK
vs.)	
)	JOINT STIPULATION AND REQUEST TO
MICHAEL RUELAS and)	CONTINUE SENTENCING HEARING
LORENZO ISRAEL GARCIA,)	DATE TO DECEMBER 5, 2012; AND
)	PROPOSED ORDER
Defendant.)	

STIPULATION

Defendant Michael Ruelas, by and through Assistant Federal Public Defender Varell L. Fuller; Lorenzo Israel Garcia, by and through Counsel Jack Gordon; and the United States, by and through Assistant United States Attorney Thomas M. O'Connell, hereby stipulate and agree, subject to the Court's approval, that the sentencing hearing presently set for Wednesday, October 17, 2012, at 9:00 a.m., be continued to Wednesday, December 5, 2012, at 9:00 a.m.

Defendants Michael Ruelas and Lorenzo Israel Garcia have pled guilty and a sentencing hearing is presently set for October 17, 2012, as to both defendants. The parties respectfully ask that the sentencing hearing date be continued to help facilitate the completion of the presentence

report investigation and to permit the parties additional time necessary to effectively prepare for the sentencing hearing. United States Probation Officer Benjamin Flores, who has been assigned to conduct the presentence investigation, has been consulted about the requested continuance and has no objection. The parties further agree that the deadlines by which the United States Probation Office must disclose the draft and final pre-sentence reports shall be adjusted according to the new December 5, 2012, sentencing date.

Dated: October 1, 2012

_____/s/_____
VARELL L. FULLER
Assistant Federal Public Defender
Counsel for Michael Ruelas

Dates: October 1, 2012

_____/s/_____
JACK GORDON
Counsel for Lorenzo Israel Garcia

Dated October 1, 2012

_____/s/_____
THOMAS M. O' CONNELL
Assistant United States Attorney

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~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that the sentencing hearing date set for Wednesday, October 17, 2012, at 9:00 a.m. is continued to Wednesday, December 5, 2012, at 9:00 a.m., and the dates by which United States Probation must disclose the draft and final pre-sentence reports shall be adjusted accordingly.

Dated: 10/2/12



THE HONORABLE LUCY H. KOH
United States District Court Judge